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BEFORE THE ARIZONA CORPORATION COMMISSION

2003 MAR 10 P 3:20

MARC SPITZER  
Chairman  
WILLIAM MUNDELL  
Commissioner  
JAMES M. IRVIN  
Commissioner  
JEFF HATCH-MILLER  
Commissioner  
MIKE GLEASON  
Commissioner

Arizona Corporation Commission

DOCKETED

MAR 10 2003

AZ CORP COMMISSION  
DOCUMENT CONTROL

DOCKETED BY

*mac*

IN THE MATTER OF THE QWEST  
CORPORATION'S COMPLIANCE WITH  
SECTION 252(e) OF THE  
TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. RT-00000F-02-0271

**MOTION AND CONSENT OF  
TIMOTHY BERG FOR PRO HAC  
VICE ADMISSION OF CYNTHIA A.  
MITCHELL ON BEHALF OF QWEST  
CORPORATION**

Pursuant to Rule 33(c) and (d) Rules of the Supreme Court, the above-named attorney moves the Arizona Corporation Commission to admit Cynthia A. Mitchell as counsel pro hac vice in this action.


The following exhibits are attached hereto pursuant to Rule 33(c) and (d):

1. the original Verified Application; and
2. Certificates of Good Standing;
3. the State Bar of Arizona Notice of Receipt.

The filing fee as required under Rule 33(d) has been submitted to the State Bar of Arizona. Timothy Berg hereby agrees to serve as designated local counsel for the above-captioned docket. A proposed order admitting Cynthia A. Mitchell accompanies this Motion.

1 DATED this 10<sup>th</sup> day of March, 2003.

2  
3 FENNEMORE CRAIG, P.C.

4  
5 By   
6 Timothy Berg  
7 Theresa Dwyer  
8 Darcy Renfro  
9 3003 N. Central Ave, Suite 2600  
Phoenix, Arizona 85012  
(602) 916-5421  
Attorneys for Qwest Corporation

10 ORIGINAL and 13 copies of the  
11 foregoing hand-delivered for  
filing this 10<sup>th</sup> day of March, 2003 to:

12 Docket Control  
13 ARIZONA CORPORATION COMMISSION  
14 1200 West Washington  
Phoenix, Arizona 85007

15 COPY of the foregoing hand-delivered  
16 this 10<sup>th</sup> day of March, 2003 to:

17 Lyn Farmer, Chief Administrative Law Judge  
18 Jane Rodda, Administrative Law Judge  
19 ARIZONA CORPORATION COMMISSION  
Legal Division  
1200 West Washington  
Phoenix, Arizona 85007

20 Chris Kempley, Chief Counsel  
21 Maureen Scott, Counsel  
ARIZONA CORPORATION COMMISSION  
Legal Division  
1200 West Washington  
Phoenix, Arizona 85007

22 Ernest G. Johnson  
23 Director, Utilities Division  
24 ARIZONA CORPORATION COMMISSION  
25 1200 West Washington  
26 Phoenix, Arizona 85007

1 COPY of the foregoing mailed  
this 10<sup>th</sup> day of March, 2003 to:  
2  
3 Eric S. Heath  
4 SPRINT COMMUNICATIONS CO.  
100 Spear Street, Suite 930  
San Francisco, CA 94105  
5  
6 Thomas Campbell  
7 LEWIS & ROCA  
40 N. Central Avenue  
Phoenix, AZ 85004  
8  
9 Joan S. Burke  
OSBORN MALEDON, P.A.  
2929 N. Central Ave., 21<sup>st</sup> Floor  
10 PO Box 36379  
Phoenix, AZ 85067-6379  
11  
12 Thomas F. Dixon  
WORLD COM, INC.  
707 N. 17<sup>th</sup> Street #3900  
13 Denver, CO 80202  
14  
15 Scott S. Wakefield  
RUCO  
1110 W. Washington, Suite 220  
16 Phoenix, AZ 85007  
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18 Michael M. Grant  
Todd C. Wiley  
19 GALLAGHER & KENNEDY  
2575 E. Camelback Road  
20 Phoenix, AZ 85016-9225  
21  
22 Raymond Heyman  
Michael Patten  
23 ROSHKA, HEYMAN & DEWULF  
400 E. Van Buren, Ste. 900  
Phoenix, AZ 85004-3906  
24  
25 Mark DiNuzio  
COX COMMUNICATIONS  
20402 North 29<sup>th</sup> Avenue  
26 Phoenix, AZ 85027-3148

- 1 Daniel Waggoner
- 2 Greg Kopta
- 3 Mary Steele
- 3 DAVIS, WRIGHT & TREMAINE
- 4 2600 Century Square
- 4 1501 Fourth Avenue
- 5 Seattle, WA 98101
- 6 Traci Grundon
- 7 Mark P. Trincherro
- 7 DAVIS, WRIGHT & TREMAINE
- 8 1300 S.W. Fifth Avenue
- 8 Portland, OR 97201
- 9
- 10 Richard S. Wolters
- 10 AT&T LAW DEPARTMENT
- 11 1875 Lawrence Street, #1575
- 11 Denver, CO 80202
- 12
- 13 David Kaufman
- 13 E.SPIRE COMMUNICATIONS, INC.
- 14 343 W. Manhattan Street
- 14 Santa Fe, NM 87501
- 15
- 16 Diane Bacon, Legislative Director
- 16 COMMUNICATIONS WORKERS OF AMERICA
- 17 5818 N. 7<sup>th</sup> St., Ste. 206
- 17 Phoenix, AZ 85014-5811
- 18
- 18 Philip A. Doherty
- 19 545 S. Prospect Street, Ste. 22
- 19 Burlington, VT 05401
- 20
- 20 W. Hagood Bellinger
- 21 5312 Trowbridge Drive
- 22 Dunwoody, GA 30338
- 23
- 23 Joyce Hundley
- 24 U.S. DEPARTMENT OF JUSTICE
- 24 Antitrust Division
- 25 1401 H Street N.W. #8000
- 25 Washington, DC 20530
- 26

- 1 Andrew O. Isar  
TELECOMMUNICATIONS RESELLERS ASSOC.  
2 4312 92<sup>nd</sup> Avenue, NW  
3 Gig Harbor, WA 98335
- 4 Jeffrey W. Crockett  
Thomas L. Mumaw  
5 SNELL & WILMER  
One Arizona Center  
6 Phoenix, AZ 85004-0001
- 7 Charles Kallenbach  
8 AMERICAN COMMUNICATIONS SVCS, INC.  
131 National Business Parkway  
9 Annapolis Junction, MD 20701
- 10 Mike Allentoff  
GLOBAL CROSSING SERVICES, INC.  
11 1080 Pittsford Victor Road  
12 Pittsford, NY 14534
- 13 Andrea Harris, Senior Manager  
ALLEGIANCE TELECOM INC OF ARIZONA  
14 2101 Webster, Ste. 1580  
15 Oakland, CA 94612
- 16 Kimberly M. Kirby  
DAVIS DIXON KIRBY LLP  
17 19200 Von Karman Avenue  
Suite 600  
18 Irvine, CA 82612
- 19 Gary L. Lane, Esq.  
20 6902 East 1<sup>st</sup> Street, Suite 201  
Scottsdale, AZ 85251
- 21  
22 Kevin Chapman  
SBC TELECOM, INC.  
23 300 Convent Street, Room 13-Q-40  
San Antonio, TX 78205
- 24  
25  
26


- 1 Richard Sampson  
Z-TEL COMMUNICATIONS, INC.  
2 601 S. Harbour Island, Ste. 220  
3 Tampa, FL 33602
- 4 Megan Doberneck  
COVAD COMMUNICATIONS COMPANY  
5 7901 Lowry Boulevard  
6 Denver, CO 80230
- 7 Richard P. Kolb  
Vice President of Regulatory Affairs  
8 ONE POINT COMMUNICATIONS  
Two Conway Park  
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- 13 Karen Clauson  
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15 Ray Smith  
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16 730 Second Avenue South, Ste. 1200  
Minneapolis, MN 55402
- 17 Rodney Joyce  
18 SHOOK, HARDY & BACON, LLP  
19 Hamilton Square  
600 14<sup>th</sup> Street, NW, Ste. 800  
20 Washington, DC 20005-2004
- 21 Dennis Doyle  
ARCH COMMUNICATIONS GROUP  
22 1800 West Park Drive, Suite 250  
23 Westborough, MA 01581-3912
- 24
- 25
- 26

- 1 David Conn  
Law Group  
2 MCLEODUSA INCORPORATED  
6400 C. Street SW  
3 PO Box 3177  
4 Cedar Rapids, IA 52406-3177
- 5 Diane Peters  
GLOBAL CROSSING  
6 180 South Clinton Avenue  
Rochester, NY 14646  
7
- 8 Gerry Morrison  
MAP MOBILE COMMUNICATIONS, INC.  
9 840 Greenbrier Circle  
Chesapeake, VA 23320  
10
- 11 Frederick Joyce  
ALSTON & BIRD, LLP  
12 601 Pennsylvania Avenue NW  
Washington, DC 20004-2601  
13
- 14 METROCALL, INC.  
6677 Richmond Highway  
15 Alexandria, VA 22306
- 16 John E. Munger  
MUNGER CHADWICK  
17 National Bank Plaza  
333 North Wilmot, #300  
18 Tucson, AZ 85711
- 19 Brian Thomas  
20 TIME WARNER TELECOM, INC.  
520 SW 6<sup>th</sup> Avenue, Suite 300  
21 Portland, OR 97204
- 22 Debroah Harwood  
23 INTEGRA TELECOM OF ARIZONA, INC.  
19545 NW Von Newmann Drive, Suite 200  
24 Beaverton, OR 97006
- 25  
26

- 1 Paul Masters  
ERNEST COMMUNICATIONS INC.  
2 6475 Jimmy Carter Blvd., Ste. 300  
3 Norcross, GA 30071
- 4 Bob McCoy  
WILLIAMS LOCAL NETWORK, INC.  
5 4100 One Williams Center  
6 Tulsa, OK 74172
- 7 Mark Dioguardi  
TIFFANY AND BOSCO, P.A.  
8 1850 North Central, Suite 500  
9 Phoenix, AZ 85004
- 10 Nigel Bates  
ELECTRIC LIGHTWAVE, INC.  
11 4400 NE 77<sup>th</sup> Avenue  
Vancouver, WA 98862
- 12 Richard M. Rindler  
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14 3000 K. Street NW, Ste. 300  
15 Washington, DC 20007
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Jim Scheltema  
17 BLUMENFELD & COHEN  
18 1625 Massachusetts Ave. NW, Ste. 300  
Washington, DC 20036
- 19 Mark N. Rogers  
20 EXCELL AGENT SERVICES, LLC  
21 2175 W. 14<sup>th</sup> Street  
Tempe, AZ 85281
- 22 Rex Knowles  
23 XO  
111 E. Broadway, Suite 100  
24 Salt Lake City, Utah 84111
- 25  
26



1 Penny Bewick  
2 New Edge Networks, Inc.  
3 PO Box 5159  
4 Vancouver, WA 98668  
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**BEFORE THE ARIZONA CORPORATION COMMISSION**

MARC SPITZER  
Chairman  
WILLIAM MUNDELL  
Commissioner  
JAMES M. IRVIN  
Commissioner  
JEFF HATCH-MILLER  
Commissioner  
MIKE GLEASON  
Commissioner

IN THE MATTER OF THE QWEST  
CORPORATION'S COMPLIANCE WITH  
SECTION 252(e) OF THE  
TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. RT-00000F-02-0271

**ORDER ADMITTING CYNTHIA A.  
MITCHELL PRO HAC VICE ON  
BEHALF OF QWEST  
CORPORATION**

Based upon the Motion for Admission Pro Hac Vice of Cynthia A. Mitchell and consent to  
appear as local counsel by Timothy Berg,

IT IS HEREBY ORDERED that Cynthia A. Mitchell be admitted pro hac vice as counsel  
for Qwest Corporation in the above-captioned docket.

///

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

By: \_\_\_\_\_  
Jane L. Rodda  
ADMINISTRATIVE LAW JUDGE  
Arizona Corporation Commission

TO PRINT



For Official Use Only

App# 1000240

Pro Hac ID # 7146831

**NONRESIDENT ATTORNEY  
PRO HAC VICE APPLICATION**

Name: Cynthia A. Mitchell

Residence Address: 6029 Indian Road, Boulder, Colorado 80301

Office Address: 1470 Walnut Street, Suite 200, Boulder, Colorado 80302

Telephone: (720) 406-5322

Fax: (720) 406-5301

Title of cause or case where applicant seeks to appear: In the Matter of Qwest Corporation's Compliance With  
Docket Number: RT-00000F-02-0271 Section 252(e) of the Telecommunications

Court, Board, or Administrative Agency: Arizona Corporation Commission Act of 1996

Party on whose behalf applicant seeks to appear: Qwest Corporation

Courts to Which Applicant Has Been Admitted:

Date of Admission:

Bar Number:

State Courts -- Colorado

October 15, 1992

21974

US District Court, District of Colorado

March 9, 1995

Applicant is a member in good standing in such courts.

Applicant is not currently disbarred or suspended in any court.

Applicant ☐ is / ☒ is not (select one) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

Jurisdiction(s) Where  
Discipline Matter Pending:

Nature of Matter  
Under Investigation:

Name / Address of  
Disciplinary Authority:

Applicant ☐ has / ☒ has not (select one) been disciplined by any court, agency or organization authorized to discipline attorneys at law.

In the preceding three (3) years, applicant has filed applications to appear as counsel under Rule 33, Arizona Rules of Supreme Court in the following:

Title of Matter:	Docket #:	Court or Agency:	Application Granted? (Y/N)
<u>N/A</u>	<u></u>	<u></u>	<u>N/A</u>
<u></u>	<u></u>	<u></u>	<u>N/A</u>
<u></u>	<u></u>	<u></u>	<u>N/A</u>
<u></u>	<u></u>	<u></u>	<u>N/A</u>

Name of local counsel: Timothy Berg

State Bar of Arizona Number: 004170

Address: Fennemore Craig, 3003 N. Central Avenue, Suite 2600, Phoenix, Arizona 85016

Telephone: (602) 916-5421 Fax: (602) 916-5621

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
<u>See attached list</u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$348.50.

This case or cause ☐ is / ☒ is not (**select one**) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, applicant certifies the following:

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Rule 46(b) Rules of the Supreme Court.
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

Verification

STATE OF COLORADO )  
County of Boulder ) ss.

I, the Applicant, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: 2/28/03

Applicant's signature

SUBSCRIBED AND SWORN TO before me this 28<sup>th</sup> day of February, 2003, by

Cynthia Mitchell  
Name of Applicant

Socorro L. West  
Notary Public

11-03-2006

Lyn Farmer, Chief Administrative Law Judge  
Jane Rodda, Administrative Law Judge  
ARIZONA CORPORATION COMMISSION  
Legal Division  
1200 West Washington  
Phoenix, Arizona 85007

Chris Kempley, Chief Counsel  
Maureen Scott, Counsel  
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Phoenix, Arizona 85007

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Director, Utilities Division  
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Teresa Ono  
Gregory Hoffman  
AT&T  
795 Folsom Street, Room 2159  
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Andrew O. Isar  
TELECOMMUNICATIONS RESELLERS ASSOC.  
4312 92<sup>nd</sup> Avenue, NW  
Gig Harbor, WA 98335

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Mike Allentoff  
GLOBAL CROSSING SERVICES, INC.  
1080 Pittsford Victor Road  
Pittsford, NY 14534

Andrea Harris, Senior Manager  
ALLEGIANCE TELECOM INC OF ARIZONA  
2101 Webster, Ste. 1580  
Oakland, CA 94612

Kimberly M. Kirby  
DAVIS DIXON KIRBY LLP  
19200 Von Karman Avenue  
Suite 600  
Irvine, CA 82612

Gary L. Lane, Esq.  
6902 East 1<sup>st</sup> Street, Suite 201  
Scottsdale, AZ 85251

Kevin Chapman  
SBC TELECOM, INC.  
300 Convent Street, Room 13-Q-40  
San Antonio, TX 78205

M. Andrew Andrade  
TESS COMMUNICATIONS, INC.  
5261 S. Quebec Street, Ste. 150  
Greenwood Village, CO 80111

Richard Sampson  
Z-TEL COMMUNICATIONS, INC.  
601 S. Harbour Island, Ste. 220  
Tampa, FL 33602

Megan Doberneck  
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RIDGE & ISAACSON, P.C.  
3101 North Central Ave., Ste. 1090  
Phoenix, AZ 85012

Teresa Tan  
WORLDCOM, INC.  
201 Spear Street, 9<sup>th</sup> Floor  
San Francisco, CA 94105

Dennis D. Ahlers  
ESCHELON TELECOM  
730 Second Avenue South, Ste. 1200  
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Karen Clauson  
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SHOOK, HARDY & BACON, LLP  
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David Conn  
Law Group  
MCLEODUSA INCORPORATED  
6400 C. Street SW  
PO Box 3177  
Cedar Rapids, IA 52406-3177

Diane Peters  
GLOBAL CROSSING  
180 South Clinton Avenue  
Rochester, NY 14646

Gerry Morrison  
MAP MOBILE COMMUNICATIONS, INC.  
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Washington, DC 20007

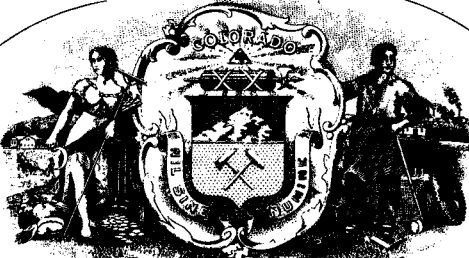
Douglas Hsiao  
Jim Scheltema  
BLUMENFELD & COHEN  
1625 Massachusetts Ave. NW, Ste. 300  
Washington, DC 20036

Mark N. Rogers  
EXCELL AGENT SERVICES, LLC  
2175 W. 14<sup>th</sup> Street  
Tempe, AZ 85281

Rex Knowles  
XO  
111 E. Broadway, Suite 100  
Salt Lake City, Utah 84111

Penny Bewick  
New Edge Networks, Inc.  
PO Box 5159  
Vancouver, WA 98668

# SUPREME COURT



## State of Colorado

STATE OF COLORADO, ss:

I, Mac V. Danford Clerk of the Supreme Court of the State of Colorado, do hereby certify that

Cynthia Mitchell

has been duly licensed and admitted to practice as an

ATTORNEY AND COUNSELOR AT LAW

within this State; and that his/her name appears upon the Roll of Attorneys and Counselors at Law in my office of date the 15<sup>th</sup> day of October A. D. 1992 and that at the date hereof the said Cynthia Mitchell

is in good standing at this Bar.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Supreme Court, at Denver, in said State, this

26<sup>th</sup> day of February A. D. 2003

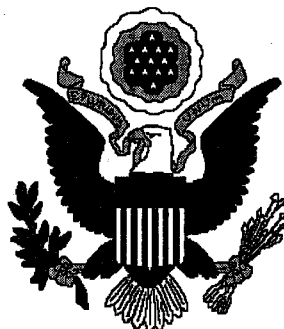
Mac V. Danford

Clerk

By Sharon H. Kanzler

Deputy Clerk





# Certificate of Good Standing

United States District Court  
District of Colorado

I, James R. Manspeaker, Clerk of the United States District Court  
DO HEREBY CERTIFY

**Cynthia A. Mitchell**

was duly admitted to practice in said court on

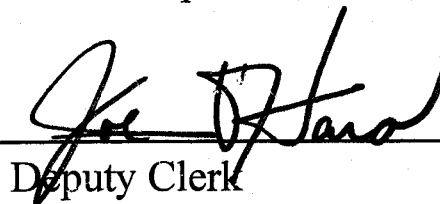
**March 9, 1995**

and is in good standing as a member of the bar of said court.

Dated: February 27, 2003

James R. Manspeaker, Clerk

By:

  
Deputy Clerk

1  
2 **Arizona Corporation Commission**

3 In the Matter of : )  
4 Plaintiff, ) CASE #RT 00000f 02 0271  
5 v. ) SBA App # 1000240  
6 )  
7 Defendant. ) **NOTICE OF RECEIPT OF  
COMPLETE APPLICATION**

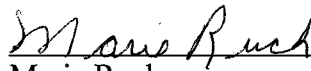
8  
9 NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has  
received the verified application and fee from Cynthia A. Mitchell.

10 In addition to this application, applicant has made the following applications to appear  
11 pro hac vice, pursuant to Rule33 (d), within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no

17 Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of  
18 Good Standing are attached hereto.

19 DATED this 5th day of March, 2003

20   
21 Marie Ruch  
22 Membership Records  
State Bar of Arizona

23 Original Mailed on  
24 This 5<sup>th</sup> day of March , 2003 to:  
25 Timothy Berg  
Fennemore Craig  
3003 N. Central Ave Suite 2600  
Phoenix, AZ 85016-0001